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20 and JUAN LOZANO MAGDALENO

21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 OAKLAND DIVISION

24 MONY PREAP, EDUARDO VEGA  
PADILLA, and JUAN LOZANO  
MAGDALENO,

25 Plaintiffs-Petitioners,

v.

26 Case No. 4:13-cv-05754-YGR

27 **STATEMENT OF RECENT DECISION**

28 Ctrm: 5

Judge: Hon. Yvonne Gonzalez Rogers

1 JEH JOHNSON, Secretary, United States  
2 Department of Homeland Security; ERIC  
3 H. HOLDER, JR., United States Attorney  
4 General; TIMOTHY S. AITKEN, Field  
5 Office Director, San Francisco Field Office,  
6 United States Bureau of Immigration and  
7 Customs Enforcement; GREGORY J.  
8 ARCHAMBEAULT, Field Office Director,  
9 San Diego Field Office, United States  
Bureau of Immigration and Customs  
Enforcement; DAVID MARIN, Field Office  
Director, Los Angeles Field Office, United  
States Bureau of Immigration and Customs  
Enforcement,

Defendants-Respondents.

Date Filed: December 12, 2013

Trial Date: Not Set

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Jeh Johnson was sworn in as Secretary of the U.S. Department of Homeland Security on December 23, 2013. Pursuant to Federal Rule of Civil Procedure 25(d), he is substituted as a defendant in place of Rand Beers, Acting Secretary of the U.S. Department of Homeland Security.

As permitted by Civil Local Rule 7-3(d)(2), in connection with pending motions before this Court, Plaintiffs respectfully submit as Exhibit A the judicial opinion in *Khoury v. Asher*, No. C13-1367-RAJ (W.D. Wash. March 11, 2014). The *Khoury* opinion addresses issues also before this Court that will be heard in this case on Tuesday, March 18, 2014. *See* Pls.' Mot. for Class Certification (Dkt. No. 8), Pls.' Mot. for Prelim. Inj. (Dkt. No. 23), and Def.'s Mot. to Dismiss (Dkt. No. 24). In *Khoury*, the court grants the plaintiffs' motion for class certification, denies the defendants' motion to dismiss, and terminates the plaintiffs' motion for injunctive relief without prejudice to renew a request for permanent injunction. *See* Ex. A, 23-24.

Plaintiffs additionally submit as Exhibit B the March 7, 2014 order of Immigration Judge Anthony S. Murry, granting bond to Plaintiff-Petitioner Eduardo Vega Padilla.

Dated: March 13, 2014

KEKER & VAN NEST LLP

By: /s/ Jon Streeter

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